

CLOSED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HACKENSACK DENTAL
ASSOCIATES,

Plaintiff,

v.

BLUECROSS BLUESHIELD OF
ILLINOIS, HEALTH CARE SERVICES
CORPORATION and DENTAL
NETWORK OF AMERICA,

Defendants.

Civil Action No. 1:11cv-1712 (FSH/MAH)

CONSENT ORDER OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE

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WHEREAS the Parties having conferred and agreed to a Term Sheet for Binding Arbitration of the dental claims in dispute between the Plaintiff and the Defendants; and

WHEREAS the Parties intend and agree to further memorialize their intent to arbitrate such disputed dental claims in a formal Agreement to Arbitrate; and

THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties herein, as follows:

1. the within litigation shall be voluntarily dismissed, without prejudice, pursuant to Fed. R. Civ. P. 41 and without costs;

2. if the parties do not execute a final Arbitration Agreement, as contemplated by the Term Sheet for Binding Arbitration, by July 10, 2012 or the parties fail to complete Binding Arbitration, this matter may be reinstated by the parties;

3. the parties will separately address a tolling agreement that will apply in the event that this matter is reinstated pursuant to paragraph 2 of this consent order; and

4. if this matter is not the subject of Binding Arbitration and is reinstated by the

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Plaintiff pursuant to paragraph 2 of this consent order, Defendants waive the right to costs pursuant to Fed. R. Civ. P. 41(d).

So ordered. 5/31/12



Honorable Michael A. Hammer, U.S.M.J.


FANN S. HOCHBERG, U.S.D.J.

The undersigned hereby consent to the form and entry of the within order.

McELROY DEUTSCH MULVANEY &
CARPENTER, LLP

*Attorneys for Plaintiff Hackensack Dental
Associates*

By:


Leonardo M. Tamburello, Esq.

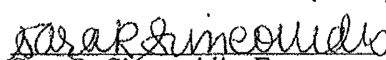
Dated:

5/25/2012

BINGHAM MCCUTCHEN LLP

*Attorneys for Defendants BlueCross
BlueShield of Illinois, Health Care
Service Corporation and Dental
Network of America*

By:


Sara R. Simeonidis, Esq.

Dated:

5/25/12